

AMENDED IN SENATE AUGUST 30, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 525

Introduced by Assembly Member Gordon

February 15, 2011

An act to amend Section 42885.5 of, and to add and repeal Section 42872.5 of, the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 525, as amended, Gordon. Solid waste: tire recycling.

The California Tire Recycling Act imposes a California tire fee on a new tire purchased in the state. The revenue generated from the fee is deposited in the California Tire Recycling Management Fund for expenditure, upon appropriation by the Legislature, for the purposes of programs related to waste tires, including grants to local entities involved in activities that result in reduced landfill disposal of used whole tires. The act requires the Department of Resources Recycling and Recovery to adopt a 5-year plan, which is to be updated biennially, to establish goals and priorities for waste tire programs.

This bill would require the department to provide outreach to local agencies regarding a program it may establish under existing law to award grants to cities, counties, and other local government agencies for the funding of public works projects that use waste tires. ~~The bill would require the amount appropriated for this purpose from the fund to not be less than 16% of the amount of the funds appropriated for market development and new technology activities for used tires and waste tires.~~

The bill would make the public works waste tire grant program inoperative on June 30, 2015, and would repeal the provision authorizing this program on January 1, 2016. The bill would also make conforming changes with regard to the department's 5-year plan.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42872.5 is added to the Public Resources
2 Code, to read:

3 42872.5. (a) The grants awarded pursuant to Section 42872
4 may be made to cities, counties, and other local government
5 agencies for the funding of public works projects that use waste
6 tires, including, but not limited to, the use of rubberized asphalt
7 concrete and tire-derived aggregate.

8 (b) The grants described in subdivision (a) shall be funded by
9 an appropriation in the annual Budget Act from the California Tire
10 Recycling Management Fund established pursuant to Section
11 42885. ~~To the extent possible, depending on the number of~~
12 ~~qualified applications, the amount of the funds appropriated in the~~
13 ~~annual Budget Act for purposes of this section shall not be less~~
14 ~~than 16 percent of the amount of the funds appropriated pursuant~~
15 ~~to this chapter, in accordance with paragraph (4) of subdivision~~
16 ~~(b) of Section 42885.5, for market development and new~~
17 ~~technology activities for used tires and waste tires. 42885.~~

18 (c) In order to provide outreach to local agencies regarding the
19 use of rubberized asphalt concrete in public works projects, all of
20 the following shall occur:

21 (1) The department shall create, annually update, and post on
22 its Internet Web site a database of public works projects that use
23 waste tires that were completed by local agencies receiving grants
24 for purposes of this section.

25 (2) The Department of Transportation shall post on its public
26 Internet Web site data and descriptions regarding state public works
27 projects using waste tires.

28 (3) The department shall post on its public Internet Web site a
29 link to the data and descriptions provided under paragraph (2).

1 (4) The department shall provide technical support to local
2 agencies on the design and application for using waste tires in
3 public works projects.

4 (d) This section shall become inoperative on June 30, 2015,
5 and, as of January 1, 2016, is repealed, unless a later enacted
6 statute, that becomes operative on or before January 1, 2016,
7 deletes or extends the dates on which it becomes inoperative and
8 is repealed.

9 SEC. 2. Section 42885.5 of the Public Resources Code is
10 amended to read:

11 42885.5. (a) The department shall adopt a five-year plan, which
12 shall be updated every two years, to establish goals and priorities
13 for the waste tire program and each program element.

14 (b) On or before July 1, 2001, and every two years thereafter,
15 the department shall submit the adopted five-year plan to the
16 appropriate policy and fiscal committees of the Legislature. The
17 department shall include in the plan, programmatic and fiscal issues
18 including, but not limited to, the hierarchy used by the department
19 to maximize productive uses of waste and used tires, and the
20 performance objectives and measurement criteria used by the
21 department to evaluate the success of its waste and used tire
22 recycling program. Additionally, the plan shall describe each
23 program element's effectiveness, based upon performance measures
24 developed by the department, including, but not limited to, the
25 following:

26 (1) Enforcement and regulations relating to the storage of waste
27 and used tires.

28 (2) Cleanup, abatement, or other remedial action related to waste
29 tire stockpiles throughout the state.

30 (3) Research directed at promoting and developing alternatives
31 to the landfill disposal of waste tires.

32 (4) Market development and new technology activities for used
33 tires and waste tires.

34 (5) The waste and used tire hauler program and manifest system.

35 (6) A description of the grants, loans, contracts, and other
36 expenditures proposed to be made by the department under the
37 tire recycling program.

38 (7) Until June 30, 2015, the grant program authorized under
39 Section 42872.5 to encourage the use of waste tires, including, but

1 not limited to, rubberized asphalt concrete technology, in public
2 works projects.

3 (8) Border region activities, conducted in coordination with the
4 California Environmental Protection Agency, including, but not
5 limited to, all of the following:

6 (A) Training programs to assist Mexican waste and used tire
7 haulers to meet the requirements for hauling those tires in
8 California.

9 (B) Environmental education training.

10 (C) Development of a waste tire abatement plan, with the
11 appropriate government entities of California and Mexico.

12 (D) Tracking both the legal and illegal waste and used tire flow
13 across the border and recommended revisions to the waste tire
14 policies of California and Mexico.

15 (E) Coordination with businesses operating in the border region
16 and with Mexico, with regard to applying the same environmental
17 and control requirements throughout the border region.

18 (F) Development of projects in Mexico in the California-Mexico
19 border region, as defined by the La Paz Agreement, that include,
20 but are not limited to, education, infrastructure, mitigation, cleanup,
21 prevention, reuse, and recycling projects, that address the
22 movement of used tires from California to Mexico that are
23 eventually disposed of in California.

24 (c) The department shall base the budget for the California Tire
25 Recycling Act and program funding on the plan.

26 (d) The plan may not propose financial or other support that
27 promotes, or provides for research for the incineration of tires.